

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOBBY HARRIS,

Plaintiff,

v.

STATE OF WASHINGTON, *et al.*,

Defendants.

CASE NO. C17-1940-JCC

ORDER

The Court, having reviewed the Complaint (Dkt. No. 1-1), Plaintiff's motion to withdraw his case (Dkt. No. 15), the Report and Recommendation (Dkt. No. 16) of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, hereby finds and ORDERS:

- (1) The Court ADOPTS the Report and Recommendation (Dkt. No. 16);
- (2) Plaintiff's motion to withdraw his case (Dkt. No. 15) is construed as a notice of voluntary dismissal under Fed. R. Civ. P. 41(a)(1)(A)(i), and this action is DISMISSED without prejudice;
- (3) Plaintiff's request to be relieved of the obligation to pay the filing fee for this action is DENIED. The Washington Department of Corrections shall continue to withdraw funds from Plaintiff's inmate account in accordance with the order granting Plaintiff's application to proceed *in forma pauperis* issued by Judge Theiler on February 16, 2018 (Dkt. No. 9); and

1 (4) The Clerk is DIRECTED to send copies of this order to Plaintiff and to the
2 Honorable Mary Alice Theiler.

3 DATED this 1st day of May 2018.

4
5
6 

7 John C. Coughenour
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26